UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

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UNITED STATES OF AMERICA,	*	CR 15-145 (LLP/VD)
Plaintiff,	*	
-vs-	*	ORDER ON MOTIONS TO DISMISS INDICTMENT
MAHAMED ABUKAR SAID,	*	
Defendant.	*	

* *

Pending before the Court are Defendant Mahamed Abukar Said's (Said) first motion to dismiss the indictment or, in the alternative, for a bill of particulars, doc. 20, and second motion to dismiss the indictment, doc. 29. A hearing was held on the motions on Thursday, September 3, 2015, with counsel for both parties appearing by telephone. In accordance with the Court's Order issued on Wednesday, September 2, 2015 and its oral rulings on the motions to dismiss during the hearing,

IT IS ORDERED:

1. That the motion to dismiss the indictment or for a bill of particulars, doc. 20, is granted to the extent that as to Count 1 of the Indictment the government shall file a bill of particulars stating who was allegedly threatened, how that person was allegedly threatened and what was stated that allegedly constitutes a threat.

2. That the motion to dismiss the indictment or for a bill of particulars, doc. 20, is granted to the further extent that Count 2 of the Indictment is dismissed for lack of specificity in violation of Rule 7 of the Federal Rules of Criminal Procedure and the Fifth Amendment of the Constitution. The dismissal of Count 2 is without prejudice.

3. That the second motion to dismiss the indictment, doc. 29, is denied without prejudice to Said's right to renew the motion after the government files the bill of particulars as to Count 1 and/or supersedes the indictment as the Court 2.

Dated this 3rd day of September, 2015.

BY THE COURT:

Lawrence L. Piersol
United States District Judge